

SECTOR #3

**PATENT**  
**Docket No.: 2685/5234**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants : JOEL I. JAVITT et al.  
Serial No. : 09/362,199  
Filed : July 28, 1999  
For : METHOD AND APPARATUS FOR TRANSMITTING  
HIGH RATE PACKET DATA OVER UNDER-  
UTILIZED VIRTUAL CIRCUITS  
Group Art Unit : 2731  
Examiner : Unassigned

Box Missing Parts  
ASSISTANT COMMISSIONER  
FOR PATENTS  
Washington, DC 20231

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION**

SIR:

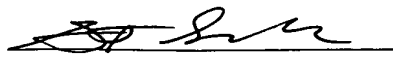
In response to the Notice to File Missing Parts of Application mailed August 18, 1999, submitted herewith is a Declaration. Also enclosed is a copy of the Notice to File Missing Parts and an Assignment.

The Commissioner is authorized to charge \$130.00 (37 CFR §1.16(e)) to Deposit Account 11-0600. A duplicate of this sheet is attached for that purpose.

Respectfully submitted,

KENYON & KENYON

Dated: September 28, 1999

  
Stuart D. Smolen  
Reg. No. 42,161

KENYON & KENYON  
1500 K Street, N.W., Suite 700  
Washington, DC 20005  
(202) 220-4200



UNITED STATES DEPARTMENT OF COMMERCE

Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
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#3

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
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09/362,199 07/28/99 JAVITT J 2685/5226

0242/0818

STUART D SMOLEN  
KENYON & KENYON  
1025 CONNECTICUT AVENUE NW  
WASHINGTON DC 20036

NOT ASSIGNED

2731

DATE MAILED:

08/18/99

**NOTICE TO FILE MISSING PARTS OF APPLICATION**  
**Filing Date Granted**

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the **SURCHARGE** set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☒ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a

☐ small entity (statement filed) ☒ non-small entity is \$ 130.00.

☐ 1. The statutory basic filing fee is:

- ☐ missing.  
☐ insufficient.

Applicant must submit \$\_\_\_\_\_ to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

☐ 2. The following additional claims fees are due:

\$\_\_\_\_\_ for \_\_\_\_\_ total claims over 20.

\$\_\_\_\_\_ for \_\_\_\_\_ independent claims over 3.

\$\_\_\_\_\_ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

☒ 3. The oath or declaration:

- ☒ is missing or unsigned.  
☐ does not cover the newly submitted items.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR-1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

☐ 8. The application was filed in a language other than English.

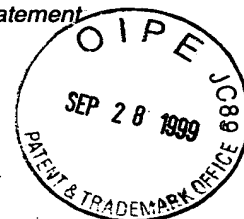
Applicant must file a verified English translation of the application, the \$130.00 set forth in 37 CFR 1.17(k), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).

☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

**A copy of this notice MUST be returned with the reply.**

DKing  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202



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